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January 30, 2006

Mr. Phillip L. Isenberg (Chair)
MLPA Initiative Blue Ribbon Task Force
c/o California Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Dear Chairman Isenberg and Members of the MLPA Blue Ribbon Task Force:

We appreciate the opportunity to comment and participate in the Marine Life Protection Act stakeholder process. During the Fall of 2005, we completed and submitted a comprehensive analysis of ecologically important areas of the California Central Coast. We have now completed a review of the current proposals submitted by the Central Coast Regional Stakeholder Group (CCRSG) and compared them to our comprehensive analysis. It would be irresponsible for us not to notify you that we have identified nine ecologically important areas that remain unaddressed and warrant your attention. The omission of these areas could cause disturbing holes in the goal to establish a network of protected ecological areas of the California Central Coast.

The nine areas warranting additional attention and protection are:

1. Santa Cruz/Natural Bridges reefs
2. Monterey Bay shelf habitat
3. Monterey Canyon benthic habitat
4. Monterey Peninsula offshore reefs
5. Hurricane Point/Castle Rock Seabird Complex
6. Cape San Martin
7. Pismo-Oceano Beach
8. Point Sal
9. Point Arguello (Safety Zone 5)

We believe the information and detail that we have developed on these additional nine specific ecologically important areas of the California Central Coast will help address the gaps of all current proposals (see Map 1: Additional Areas Warranting Attention and Protection).

We commend the CCRSG, staff, and others for the tremendous progress to date. Though we did not have a seat on the CCRSG, we participated by gathering data, integrating data with other datasets in a Geographic Information System, and submitting a document containing our analysis of Ecologically Important Areas of the Central Coast. We identified these areas (see attached Addendum 1) within the Central Coast Region where the data warranted additional monitoring, management, and varying degrees of protection in order to achieve the goals of the MLPA. To assist in developing appropriate boundaries for management measures, we subdivided our

Ecologically Important Areas into 51 subregions (Addendum 2). This is the information we used in reviewing the CCRSG proposals.

Based on our analysis, we found that many of the areas we identified have been included in the CCRSG proposal package. However, the CCRSG suite of proposals does not include several key areas of high ecological components as noted above. We focused on four major objectives of ecosystem-based management to look at meeting the goal of an integrated network: protect benthic species; protect habitat; protect top predators; and protect the forage base. A succinct description of each respective objective follows:

1. Protect benthic species.

98% of all known marine species live on or in the seafloor (Thurman, Harold V. and Elizebeth Burton, 2001). The MLPA specifically calls for protection of biodiversity. Benthic species with small home ranges and large dispersal distances can benefit from spatial harvest protections of appropriate size and spacing. We commend the Science Advisory Team's attention to this issue in the Scientific Guidelines which were adopted into the Master Plan Framework. The Regional Stakeholder group proposals relied heavily on these guidelines for groundfish protections. However, we believe protections should be extended to benthic invertebrates which could also benefit from spatial zoning.

2. Protect habitat

Living features of the seafloor provide three dimensional structure that forms habitat for marine life. Deep sea corals, sponges, and their associated species likely enhance populations of groundfish and unique ecological assemblages. These biogenic habitats can be sensitive to incidental damage caused by bottom fishing gear. Bottom trawling, in particular, is known to reduce the biodiversity, complexity, and productivity of benthic habitats (NRC 2002). However, the RSG proposals do not adequately address bottom trawling in Monterey Bay and many key submarine canyon and rocky substrate habitats are not protected from bottom contact in the RSG proposals.

3. Protect top predators

Seabird colonies and marine mammal rookeries are sensitive to direct disturbance by human activities. Lights, noise, and encroachment within ¼ mile of these areas may threaten seabird and mammal populations by decreasing nesting success and juvenile survivorship (Gerry McChesney (USFWS) pers. comm.). MPAs that prohibit these threats can be highly targeted in space, but have major benefit to these populations.

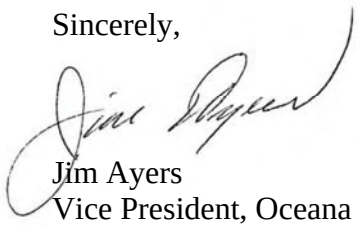
4. Protect the forage base

Key forage species in the California Current include krill, squid, anchovies, sardines, and mackerel. Populations of commercial and non-commercial marine species depend on abundant populations of forage species at key foraging locations such as upwelling zones, seabird nesting sites, and marine mammal rookeries. While other management tools, such as quotas, may address total populations of forage species, MPAs can play a unique role by affecting the spatial distribution of these populations. For example, though squid populations are highly migratory, MPAs that protect squid from harvest in upwelling areas, seabird nesting sites, and marine mammal rookeries will enhance the availability of forage to higher trophic levels when the squid travel through those areas.

We understand that the Blue Ribbon Task Force is faced with an overwhelming amount of information. It is not our intention to delay the MLPA process in any way. Rather, we have distilled the key results from our ecological analysis in hopes that it will help the Blue Ribbon Task Force meet your goals and objectives.

We hope you find our information useful as you embark on your task of evaluating stakeholder proposals and developing your recommendations to the California Fish and Game Commission. Please feel free to contact us if you have any further questions, and we look forward to continuing to work with you to protect California's marine resources.

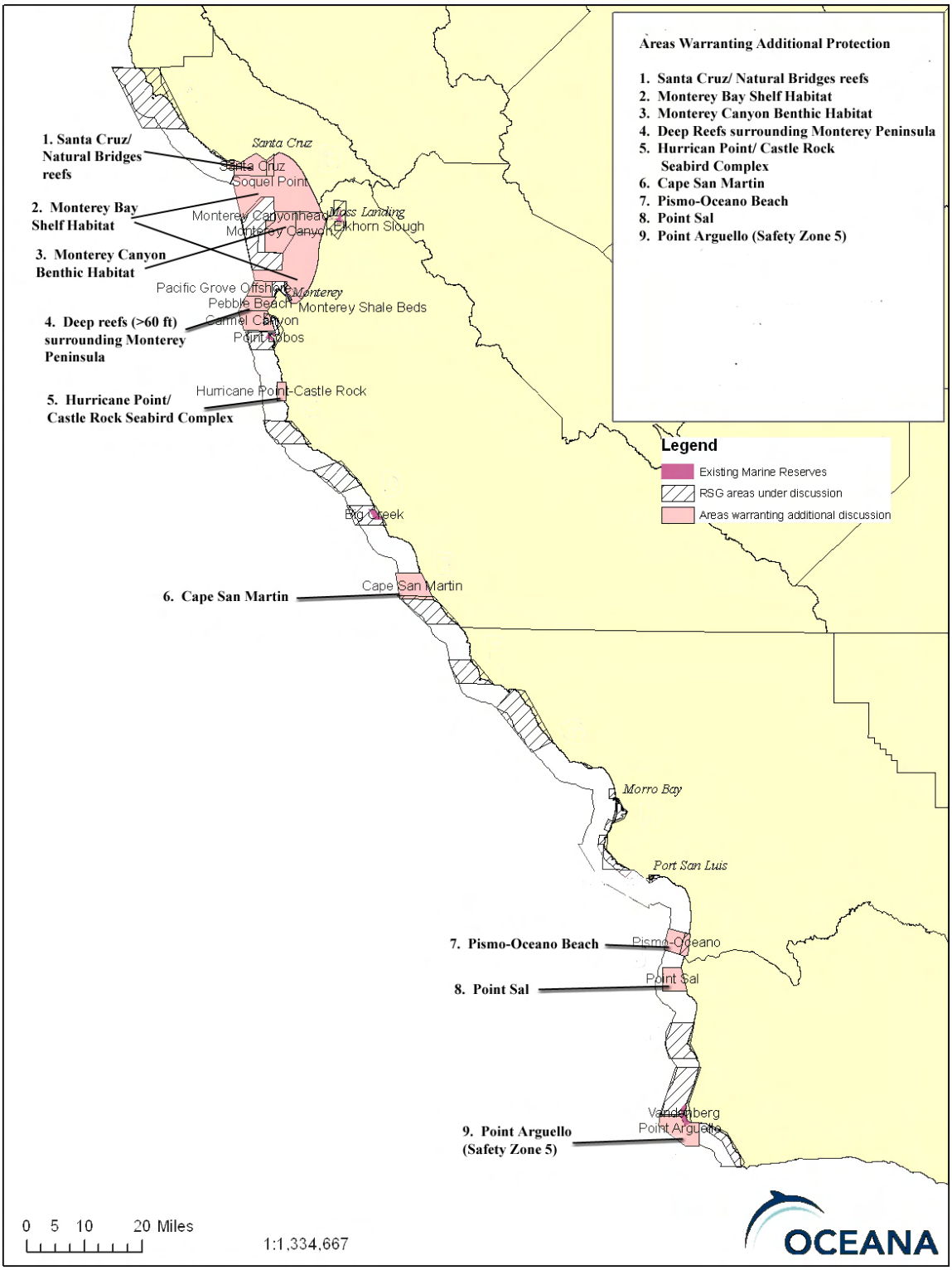
Sincerely,



Jim Ayers
Vice President, Oceana

cc: Mike Delapa, John Kirlin

Map 1: Additional Areas Warranting Attention and Protection



Additional Area 1: Santa Cruz/Natural Bridges Reefs

The northern section of Monterey Bay contains extensive rocky reefs and diverse shoreline types. The area contains the only documented larval retention area off Soquel Point.

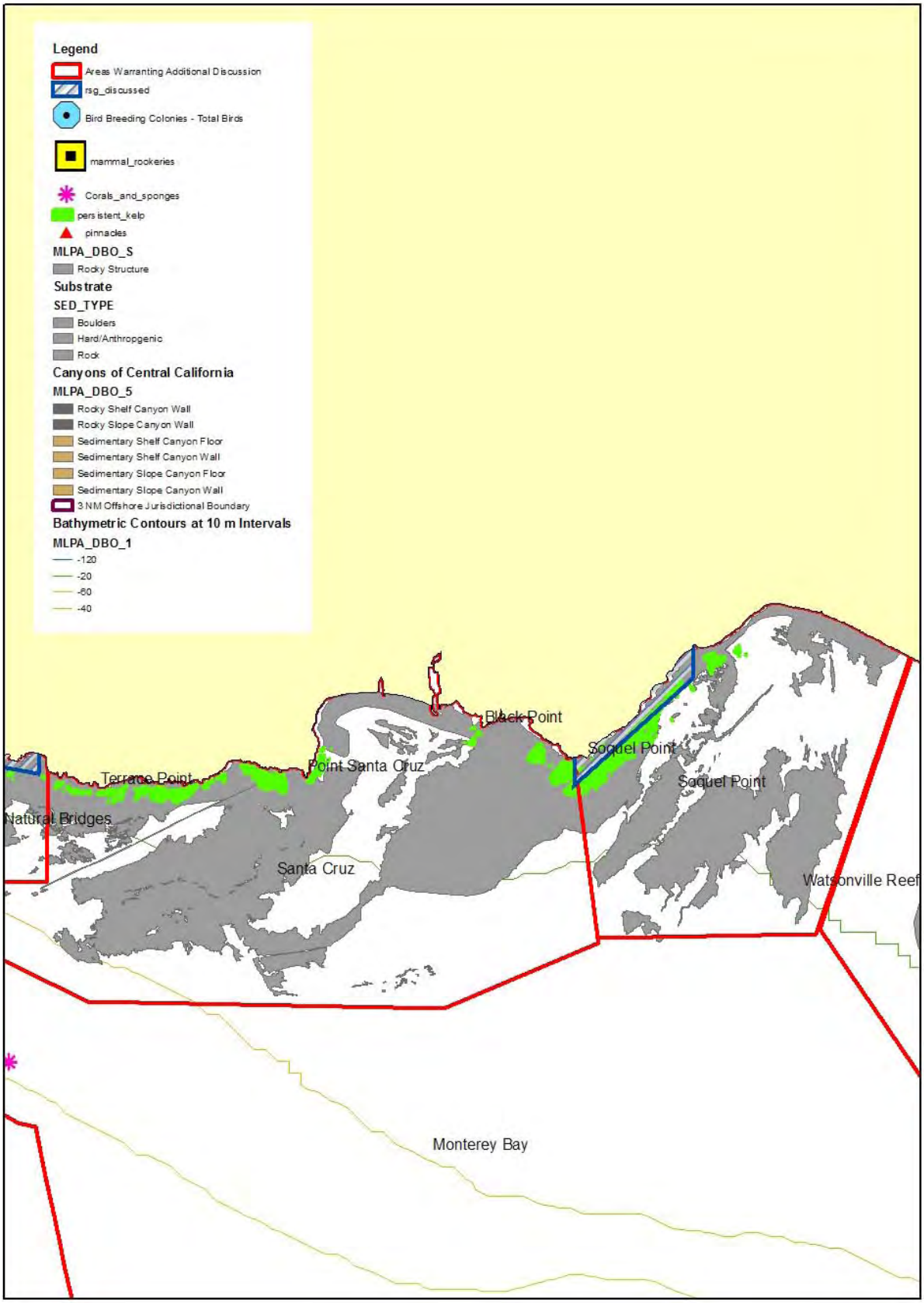
Key Ecological Features
- Rocky intertidal
- Multiple rocky reefs
- High fish/bird diversity
- San Lorenzo River freshwater plume
- Kelp forests

Potential Anthropogenic Impacts
- Commercial fishing
- Recreational fishing
- Kelp harvesting
- Seafloor bottom contact
- Coastal runoff

Management Objectives
- Protect seafloor and other biogenic habitat
- Protect benthic invertebrates and groundfish
- Protect forage base for top predators
- Improve water quality

Recommended Management Measures
- Coastal Pelagic Species Harvest prohibited
- Commercial groundfish harvest prohibited
- Recreational groundfish take limited and monitored to ensure production of large, old, reproductive fish as identified by Berkley et al. (2004)
- Bottom contact with commercial fishing gear prohibited
- Commercial kelp harvest prohibited
- Harvest of clams and other mollusks prohibited

Additional Area 1: Santa Cruz/Natural Bridges Reefs Map



Additional Area 2: Monterey Bay Shelf Habitat

Monterey Bay is one of the only areas within California state waters where the practice of bottom trawling is still allowed. According to the National Academy of Sciences (2002) bottom trawling reduces habitat complexity and biodiversity and is particularly damaging in areas with long-lived slow growing species like deep sea corals and sponges. In Monterey Bay, NOAA trawl surveys have documented gorgonian corals, sea pens and sponges. Submersible dives by MBARI have documented bubblegum corals, black corals, and bamboo corals. The California Academy of Sciences has collected samples of hydrocorals, *Plumerella sp., Callogorgia sp., Paragorgia sp.,* and bamboo corals. In an area with such known concentrations of living seafloor habitat, the risk of destroying these important ecosystem features is far too great. Bottom trawling is not a compatible activity with the known habitat complexity and diversity of Monterey Bay.

Bottom trawling is by far the most destructive human activity threatening marine habitat in the Central Coast MLPA study area. The National Academy of Sciences (2002) Report on *The Effects of Bottom Trawling and Dredging on Seafloor Habitat* reflects the worldwide scientific

consensus that bottom trawling reduces the productivity, biodiversity, and complexity of benthic habitats. This is corroborated by a study on the California Central Coast by Engel and Kvitek (1998) which found that intensive trawling significantly decreases epifaunal invertebrate densities, physical habitat heterogeneity and biodiversity. These findings illustrate that allowing bottom trawling in the Central Coast is directly contrary to the goals of the MLPA and common sense.

Recent actions including the passage of Senate Bill 1459 by the California State Legislature and the Pacific Fishery Management Council (PFMC) decision on Essential Fish Habitat (EFH) resulted in extensive bottom trawl closures throughout California. In the MLPA study region, state waters are closed out to 3 nm from shore. In addition, the Monterey Canyon closure by the PFMC closed some sections of Monterey and Soquel Canyons to bottom trawling. However, a large area within the MLPA Central Coast study region in state waters remains open to bottom trawling. Available coarse and fine-scale data in the current MLPA process shows that while some of these open areas is likely to be soft substrate, there are significant rocky reefs, hard bottom habitats, and submarine canyon habitats in these remaining open areas. Furthermore, fine-scale substrate data is only available for a small portion of these open areas, and has revealed hard substrates in many other areas that do not appear in the coarse dataset. In other words, the areas open to bottom trawling in the MLPA study area are known to contain habitats that are easily damaged by bottom trawl gear and likely contain many more.
Monterey Bay is an internationally significant marine ecosystem. Its functioning depends on the quality of its habitats from the deep canyons to the shoreline. Given the importance of this area and the recognition of sciences and the State of California that bottom trawling should not be allowed in state waters, we propose that bottom trawling be prohibited throughout the Central Coast study area. To address the localized socioeconomic impacts that this prohibition may cause on bottom trawl fishermen, we recommend that the bottom trawl capacity reduction take place through buyouts and gear transfers.

Recommended Management Measures
No bottom trawling in Monterey Bay state waters

Additional Area 2: Monterey Bay Shelf Habitat Map